IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 462 OF 2006

Mrs. Florine w/o Winston Lobo ... Petitioner
Vs.
Winston s/o Victor Lobo_& Anr. ... Respondents

Mr. A.K. Moily for petitioner
Mr. Prakash Mahadik for respondent No. 2 to 6
Mr. J.M. Dhruva for respondent no. 7

CORAM : S.C.DHARMADHIKARI, J.
DATE : 3rd May 2006

P.C.

. After hearing the petitioners Advocate, in my view, the only relief that can be granted is that the Commissioner appointed for recording evidence by order dtd. 24th Jan. 2006 in Chamber Summons 1126 of 2005 is replaced and instead of (Mr. Kamal Khata Advocate), Mr. V.N. Kulkarni, a retired Prothonotary and Senior Master of this Court is appointed as Commissioner to record evidence. Rest of the order remains the same.

2. Liberty is granted to take out appropriate proceedings for other reliefs which are claimed in the chamber summons.

3. The Commissioner to endeavour and complete recording of evidence within a period of 3 months from today.

4. The attention of the Commissioner who is now appointed is invited to the letter (Exh.B-1 to the Affidavit in support) dtd. 1st March 2006 and it is expected that as far as expenses are concerned, from a wife who is fighting for maintenance, the charges of the Commissioner should be reasonable. In any event, the Commissioners are assisting this Court and should not consider this as a professional assignment and demand fees as would be payable to them for professional appearnce in Court. All directions pertaining to the expenses would be issued after the assignment is complete.

5. Chamber summons disposed of accordingly.

(S.C.Dharmadhikari, J)